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October 5, 2022

Hon. Lewis J. Liman, U.S.D.J.
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

Via ECF

Re: **689 Eatery Corp., etc. et ano. v. City of New York, et al.,**
Docket No. 02 CV 4431 (LJL) (“Action No. 1”)

59 Murray Enterprises, Inc. etc., et ano. v. City of New York, et al.,
Docket No. 02 CV 4432 (LJL) (“Action No. 2”)

Club at 60th Street, et al. v. City of New York
Docket No. 02 CV 8333 (LJL) (“Action No. 3”)

336 LLC, etc, et al. v. City of New York
Docket No. 18 CV 3732 (LJL) (“Action No. 4”)

Dear Judge Liman:

We represent the Plaintiffs in the above-referenced Action No. 2 and write on behalf of the Plaintiffs and Defendants in each of the related cases listed above.

As Your Honor is aware, (a) on September 8, 2022, counsel for the parties jointly filed their Supplemental Joint Statement of Facts, and (b) on September 16, 2022, counsel filed plaintiffs’ motions for partial summary judgment and defendants’ motion for summary judgment in accordance with the Court’s Order of August 26, 2021.¹

¹ Case No. 02-cv-4431, Doc. No. 148; Case No. 02-cv-4432, Doc. No. 108; Case No. 18-cv-3732, Doc No. 108. Inexplicably, this Order was not entered in Case No. 02-cv-8333, but see the Minute Entry for August 26, 2021.

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Pursuant to the arrangements subsequently approved by the Court, set forth in counsels' letter dated April 26, 2022, "Upon the filing of the motions for summary judgment counsel will promptly confer and jointly advise the Court as to the proposed schedule for the service of opposition, cross-motion, cross-opposition and reply papers, as the case may be."²

Counsel have jointly begun that process, however, in light of both the sheer volume of the motion papers filed to date and the need to address certain factual issues, and after consultation with each other, counsel for all of the parties have agreed that it would be appropriate, and we hereby jointly request, on consent, that the parties propose a briefing schedule for opposition and reply papers (and possible cross-motion papers) by October 21, 2022.

As always, we thank the Court in advance for its hopefully favorable consideration of this request.

Respectfully,
Edward S. Rudofsky
Edward S. Rudofsky

Cc: All Counsel (Via ECF)

² Case No. 02-cv-4431, Docs. Nos. 160-161; Case No. 02-cv-4432, Docs. Nos. 118-119; Case No. 02-cv-8333, Docs. Nos. 145-146; Case No. 18-cv-3732, Docs No. 119-120.